

In the High Court of Judicature at Madras

Dated: 12.05.2016

Coram:

The Honourable Mr. Justice M.V. MURALIDARAN

Writ Petition No.989 of 2016

and

W.M.P.No.15458 of 2016

Thiru. L.Veerapandian

... Petitioner

Versus

1.The State of Tamil Nadu

Represented by

The Secretary to Government,

Commercial Taxes and Registration Department,

Fort St.George, Chennai 600 009.

2.The Commissioner of Commercial Taxes,

Ezhilagam, Chempauk,

Chennai 600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to include the petitioner's name in the list of Assistant Commissioner (Commercial Taxes) for the year 2013 drawn and published in G.O. (Ms) No.20, Commercial Taxes and Registration Department, dated 19.2.2014 or at least in the list for the year 2014-15 drawn and published in G.O. (Ms) No.34 Commercial Taxes and Registration Department, dated 27.2.2015.

For Petitioner .. Mr.Adithya Reddy

For Respondents.. Mr.S.Kanmani Annamalai

Additional Government Pleader

ORDER

Mr. S.Kanmani Annamalai, learned Additional Government Pleader takes notice for the respondents. By consent, the Writ Petition itself is taken up for disposal.

2. The prayer in the writ petition is to issue a Writ of Mandamus directing the respondents to include the

petitioner's name in the list of Assistant Commissioner (Commercial Taxes) for the year 2013 drawn and published in G.O. (Ms) No.20, Commercial Taxes and Registration Department, dated 19.2.2014 or at least in the list for the year 2014-2015 drawn and published in G.O. (Ms) No.34 Commercial Taxes and Registration Department, dated 27.2.2015. Along with the writ petition, the petitioner has filed W.M.P.No.15458 of 2016 praying for the relief of interim direction directing the respondents to promote the petitioner to the post of Assistant Commissioner (CT) before 31.05.2016.

3. Heard both the sides.

4. When the matter is taken up, the learned counsel for the petitioner submitted that it would suffice if the respondents are directed to consider the petitioner's representation dated 28.11.2014 and pass orders on the same within the time frame. The learned counsel for the petitioner also prayed that before considering the representation of the petitioner dated 28.11.2014, the petitioner may be given promotion to the post of Assistant Commissioner (CT) on or before 31.05.2016.

5. This Court, considering the limited prayer now sought for, directs the petitioner to give fresh representation on 13.05.2016 to the respondents seeking the relief of promotion to the post of Assistant Commissioner (CT) on or before 31.05.2016. On receipt of such representation, the respondents are directed to consider and pass appropriate orders, on merits and in accordance with law, within a period of one week thereafter, after following the procedure contemplated under the relevant rules and after affording reasonable opportunity of personal hearing to the petitioner if necessary.

6. The Writ Petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (VO)

//True Copy//

Sub Assistant Registrar

mra/ari

To

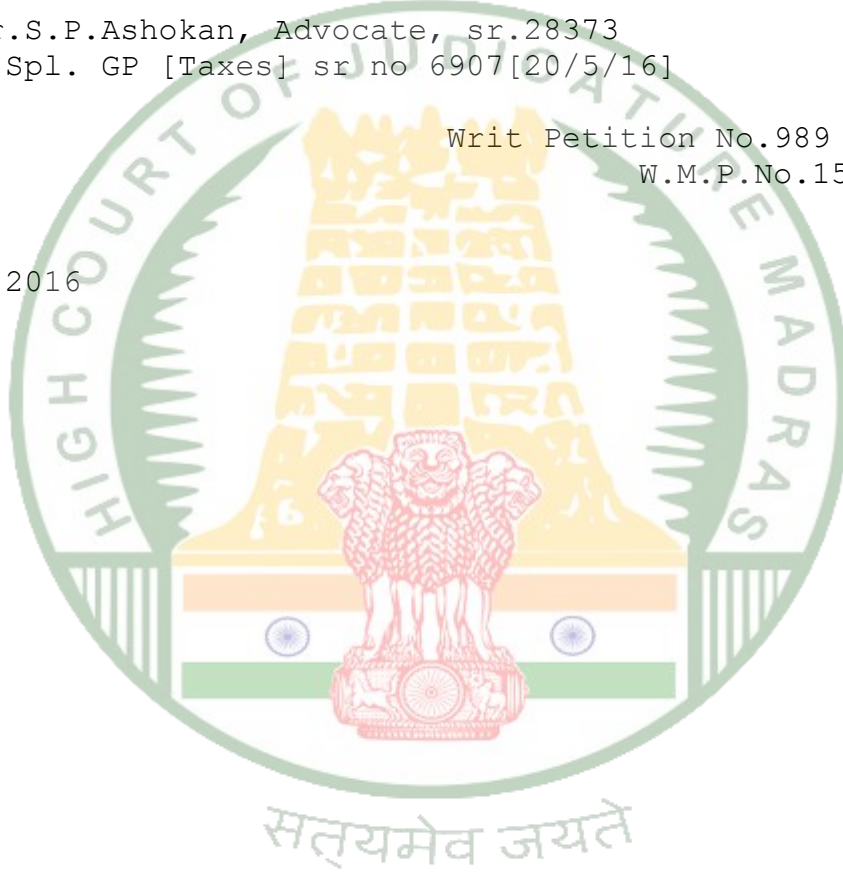
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Commercial Taxes and Registration Department,
Fort St.George, Chennai 600 009.

2.The Commissioner of Commercial Taxes,
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Chennai 600 005.

1 cc to Mr.S.P.Ashokan, Advocate, sr.28373
+ 1 cc to Spl. GP [Taxes] sr no 6907[20/5/16]

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